

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: ANGELL, Jon E.
)	
REED, John C., et al.)	Group Art Unit: 1635
)	
Serial No.: 10/071,174)	Docket No.: 8014-014-US
)	
Filed: February 07, 2002)	
)	
For: APOPTOSIS MODULATOR)	
BCL-B AND METHODS FOR MAKING)	
AND USING SAME)	

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES UNDER 37 C.F.R. § 1.191(a)

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Applicant hereby appeals the final rejection, dated November 28, 2006, of all relevant claims in the above identified patent application to the Board of Patent Appeals and Interferences.


It is noted in the Advisory Action mailed May 22, 2007, Examiner has allowed claims 1, 4-9, 11-15, 17-23, 25-28 and 152-163. Therefore, the claims of relevance for the purposes of Appeal are claims 76 and 77, as claim 16 was canceled for compliance with the Advisory Action.

This Notice of Appeal is conditional on the effect of Applicant's reply to the Advisory Action. Should Examiner accept Applicant's reply to the Advisory Action with respect to claims 76 and 77, this Notice of Appeal should be withdrawn. However, if the Examiner refuses to allow the above claims, this Notice of Appeal should be given effect.

Applicant is submitting this Notice concurrently with the appropriate fees. The Office is hereby authorized to charge any underpayments, or credit any overpayments, to Deposit Account No. 502235.

Respectfully submitted,

Date: May 29, 2007



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